

SUMMARY SKAGIT SHORELINE MANAGEMENT PROGRAM

Width of Shoreline Area Designations shown on the map are for general reference and not to scale. Check with Skagit County Planning Department for maps having exact delineation of Shoreline Areas.

INTRODUCTION

The Shoreline Management Act and the Skagit County Master Program are based upon a recognition that shorelines are limited resources—they cannot be increased—resources which serve broad and diverse ranges of activity. Skagit County has a variety and abundance of shorelines, such abundance that control of these shorelines might seem unnecessary or premature. The fact that these shores and shore processes are limited and irreplaceable, while man's demands and his ability to interfere with these processes have increased dramatically, make some management program for these resources necessary to allow continued use and preservation for future generations. Recognition of these circumstances led, in 1970, to presentation of an initiative to the State, supported by 160,000 signatures of registered voters, calling for a more detailed system of management to protect and enhance our shoreline heritage. This was Initiative 43. The Legislature responded to this initiative by developing

and passing, in 1971, an alternative to Initiative 43, designated as Alternate 43B. This alternate was less stringent and allowed for more local control than the original Initiative 43. Both the original and alternate were then submitted to a vote of the people in November 1972. Voters had a choice of rejecting both shoreline management proposals, or accepting either, and then choosing between 43 and 43B. Statewide, a majority voted for shoreline management and Alternate 43B. Skagit County voters were consistent with the State, with a majority voting for shoreline management and local control under Alternate 43B. Thus, the present Shoreline Management Act, which had been in effect by legislative action since 1971, was ratified by a vote of the people. The Act calls for a partnership of State and Local governments to:

- Inventory shoreline resources.
- Develop a permit system to regulate substantial development.
- Develop a Shoreline Management Program tailored to the needs of each locality for future regulation, planning, and management.

The Management Program was prepared by the Skagit County Shoreline Citizens' Advisory Committee and the County Planning Office, and is available for reference at the Planning Department office.

This brochure was developed to explain the Skagit County Shoreline Management Program. It is a summary designed to familiarize the public with the program; it is not a legal document. Consult the complete text for specific definitions and regulations.

SHORELINE AREA DESIGNATIONS

Within Skagit County, the shorelines to which this Act applies include:

- Marine shoreline — 127 miles;
- Lake shoreline — 149 miles;
- Rivers and stream channels — 575 miles; and
- All bogs, marshes, and floodplains associated with the above water areas.

The Act applies to all marine shorelines, all lakes 20 acres or larger, and all streams downstream of a point where mean annual flow exceeds 20 cubic feet per second.

The map side on this brochure identifies the various Shoreline Area Designations. The area designations in Skagit County are:

AQUATIC SHORELINE AREA: This area is the surface of all applicable rivers, marine water bodies, and lakes, together with their underlying lands and their water column.

NATURAL SHORELINE AREA: Areas of little or no development, not materially influenced by human use, and selected areas capable of being restored to a natural condition through natural processes.

CONSERVANCY SHORELINE AREA: Areas containing natural resources which can be utilized or managed on a multiple use basis without substantial modification of shoreline or topography, or areas

requiring restrictions on use or structural development because of hazardous conditions or sensitive natural or cultural features.

RURAL SHORELINE AREA: Areas of, or intended for, low density and low to moderate intensity uses including, but not limited to, residences, agriculture, and outdoor recreation developments.

RURAL RESIDENTIAL AREA: Areas of low to medium intensity land uses, characterized by small-scale alterations to the natural shoreline. These include, but are not limited to, residential, commercial, recreational, and agricultural uses. This designation is intended to provide a transition area between high and low intensity use areas.

URBAN SHORELINE AREA: Areas of, or intended for, intensive development including, but not limited to, urban density residential, commercial, and industrial uses.

SHORELINES OF STATEWIDE SIGNIFICANCE: The Shoreline Management Act designated certain shorelines as Shorelines of Statewide Significance because of their value to all people of the State. Shorelines of Statewide Significance in Skagit County are:

- Lake Shannon** — upstream from Skagit Bay to the Skagit-Whatcom County line.
- Cascade River** — upstream from its confluence with the Skagit River to the mouth of Boulder Creek (Sec. 15, T 35N, R11E).
- Sauk River** — upstream from its confluence with the Skagit River to the Skagit-Snohomish County line.

- Sulatte River** — upstream from its confluence with the Sauk River to the Mt. Baker National Forest boundary.
- Baker River** — upstream from its confluence with the Skagit River, through Lake Shannon to the Skagit-Whatcom County line.
- Skagit Bay and adjacent area** — from the Skagit-Snohomish County line to Yokeko Point, Fidalgo Island.
- Padilla Bay** — from March's point to William Point, Samish Island. All other marine waters, water columns, and beds seaward of the extreme low tide.

Because of the significance of these areas to the general public, shoreline management guidelines and master programs must give preference to uses which meet the following principles:

- Recognize and protect statewide interest over local interest.
- Preserve the natural character of the shoreline.
- Result in long-term over short-term benefit.
- Protect the resources and ecology of shorelines.
- Increase public access to publicly owned areas of the shorelines.
- Increase recreational opportunities for the public on shorelines.

SHORELINE PROCESSES AND RESOURCES

The term shoreline is used to describe the zone of interaction of water and land. Shoreline is a misleading term for what is taking place, since

seldom, if ever, is the zone of interaction or interface so well defined as to form a line. This interface of land and water is an area of tension, a corridor of dynamic processes. These processes create and maintain shorelines while also making them sensitive or even hazardous areas. Development which interferes with shore processes generally results in alteration of the immediate shore and will likely have an influence upon adjoining shores, and may require additional and ongoing costs in the form of filling, dredging, diking, bulkheading, or other measures to sustain the interference. Until recently, man's activity on shorelines was somewhat limited by his physical capabilities, but now, with the expansion of population in shore areas, and the availability of machinery capable of significant alteration of shorelines in a single day, it is apparent that these resources, which serve us all, must be managed in a way to allow optimum use while preserving their inherent values.

Shorelines are valuable physical and biological resources because they are limited and because of what they do for us. In Skagit County, many persons use the shorelines directly as scenic, recreational, or commercial resources. Indirectly, we all share the biological and physical resources of the shores. Biologically, the shoreline is a food-rich habitat providing nursery and food for fish and wildlife. Physically, shorelines provide harbors for commerce, marinas and beaches for recreation, and water for consumption, cooling, and energy; marshes and bogs provide reservoirs to supply water at a naturally metered rate; and rivers aerate and filter waste. All these and many more activities exist on or are dependent upon shorelines in their natural state. These are complex interdependent activities. The river turbid with sediment eroded from denuded shores reduces anadromous fish runs and causes sedimentation of marina basins, leading to costly dredging

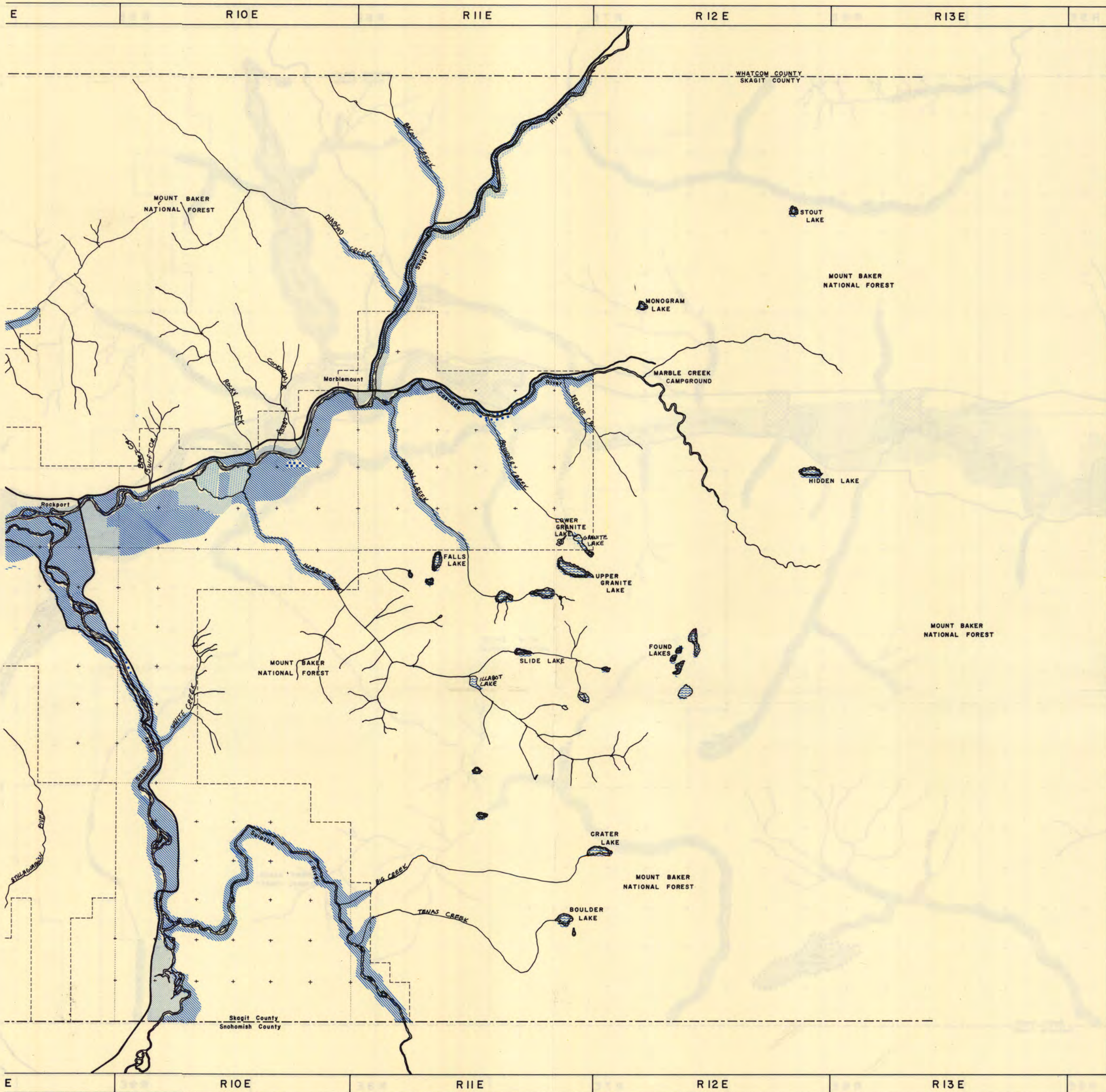
operations. A solid fill pier on a shore between an eroding or "feeder" bluff and an accretion point can interrupt the transport of materials carried by the prevailing current. This can result in a net loss of materials forming the point, and loss of valuable property. These are some of the values addressed in the Shoreline Management Program and some of the problems people would like to avoid through knowledge and management. Shorelines can and must be used to meet human needs and, as long as uses are designed and applied in recognition of what is happening on the shores, the resource can be sustained. Counties were given the opportunity, under State guidelines, to develop their own program. Skagit County has, with the help of many citizens, developed their program, a program which will provide the management tools necessary to allow a variety of uses while preserving essential shoreline characteristics.

APPLICABILITY

The provisions of the County Shoreline Management Program are to apply to designated shorelines in the unincorporated area of Skagit County and in cities wishing to adopt this program. No substantial development (any development exceeding a fair market value of \$1,000 or any development which materially interferes with the normal public use of the shorelines of the State) is to be undertaken on the shorelines without first obtaining a shoreline permit from Skagit County, except for the following activities:

- Normal maintenance or repair of existing structures or developments.

- Construction of the normal protective bulkhead common to single-family residences.
- Emergency construction necessary to protect property from damage by the elements.
- Construction of a barn or similar agricultural structure on wetlands.
- Construction or modification of navigational aids such as channel markers and anchor buoys.
- Construction of a single-family residence for the owner's use, if under 35 feet in height.
- Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, if the cost does not exceed \$2,500.
- Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands.
- The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water.
- Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on the effective date of this 1975 amendatory act which were created, developed or utilized primarily as a part of an agricultural drainage or diking system.
- Any project with a certification from the governor pursuant to chapter 80.50 RCW.



• No permit shall be required under chapter 90.58 RCW for the construction of up to 500 feet of one and only one road or segment of a road, provided such road does not enter the shoreline more than once. Such exemption from said permit requirements shall be limited to a single road or road segment for each forest practice and such road construction shall be subject to the requirements of chapter 76.09 RCW and regulations adopted pursuant thereto and to the prohibitions or restrictions of any master program in effect under the provisions of 90.58 RCW. Nothing in this subsection shall add to or diminish the authority of the shoreline management act regarding road construction except as specifically provided herein. The provisions of this subsection shall not relate to any road which crosses over or through a stream, lake, or other water body subject to chapter 90.58 RCW.

The County Building Office will not issue a building permit for a substantial development subject to this program until a shoreline permit has been granted. Projects not requiring a permit, but within the shoreline area, are subject to regulations of the Master Program.

USE POLICIES AND REGULATIONS

The Skagit County Shoreline Master Program contains sections on Use Policies and Regulations. These two elements are a major portion of the Master Program. The Use Policy section consists of policy statements, which have been generated through an active Citizens' Advisory Committee. These statements are to reflect the intent of the Act and goals of local citizens, and provide a rationale for the Use Regulations. Use Regulations provide specific controls and limitations upon uses (agriculture, industry, commercial, etc.) in the various Shoreline Area Designations. These regulations and limitations include prohibitions on some uses in certain Area Designations, and generally allow for various degrees of most uses in other areas.

Most development and uses are regulated by certain setback and height limit requirements, as shown on tables in each Use Regulation section. Shoreline setback is the distance an activity, structure, or use must be set back from the ordinary high water mark (OHWM) of the shore. Setback requirements will vary depending upon the size and type of activity within each Shoreline Area. For instance, in those areas designated Urban Shorelines, the setback requirement is not as far as in Rural Shoreline Areas. A single-family home in an Urban Shoreline Area must be set back 35 feet from the OHWM, but in a Rural Area the setback requirement is 50 feet. Height limit restrictions are dependent upon distance from shore and Shoreline Area Designation (closer to shore — lower height limits; further from shore — greater height allowed).

In order for a person to determine whether or not a use is allowed in a specific Shoreline Area, reference can be made to the Shoreline Area Designation Map to determine designation of the area and to the Use Regulations below to determine permitted uses.

EXAMPLE: If a person had a vacant lot on the south shore of Lake Cavanaugh and wanted to determine if residential development was allowed, a look at the map would indicate that the area is in a Rural Residential Designation. Looking under RESIDENTIAL in DEFINITION OF USE ELEMENTS AND SUMMARY OF REGULATIONS, below, it is found that "Residential development is permitted in all Shoreline Area Designations

except Natural." For further information on shore setback, sideyard setback, height limits, and site coverage, the Tabular Shoreline Area Regulations Chart in the Policies and Regulations section of the Master Program must be consulted.

It must be remembered that, although a single-family home and other minor developments are exempt from requirement of a Shoreline Management Permit, they are still subject to the regulations of the Shoreline Master Program. To find specific regulations, look under the specific use in the Use Regulations section of the Master Program. (See below for definitions of the various uses.)

Landfills are permitted in Rural and Urban Area Designations, and allowed as conditional use in Aquatic and Conservancy Areas. Except for approved beach restoration or enhancement programs, landfills are prohibited in Natural Areas.

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Policies and recommendations are generally concerned with drainage and erosion control. This control is achieved through minimizing active agricultural uses at the water's edge, and by establishing buffer strips between upland uses and the shore. Recommendations for handling and disposal of livestock waste, application of chemicals, and management of feedlots are made to encourage conformance with Shoreline Master Program goals.

Agricultural uses, with some conditions,* are permitted in all Shoreline Area Designations except Aquatic.

AQUACULTURE: *The culture of farming of food fish, shellfish, and other aquatic plants and animals in fresh or salt water.*

Policies and regulations relating to aquaculture are intended to avoid adverse impacts of aquaculture upon natural shore processes, shoreline plants and animals, and water quality, and to minimize interference with surface navigation. Policies and regulations recognize that aquaculture projects require high levels of water quality and as such are compatible with shoreline water quality goals and objectives.

Aquaculture uses are permitted, with some conditions,* in all Shoreline Area Designations; however, structures and activities associated with aquaculture operations that are not shoreline dependent shall not be located in the shoreline area.

Removal or dredging of bottom materials for shellfish harvest is prohibited on shorelines of statewide significance.

COMMERCIAL DEVELOPMENT: *Those activities which are involved in wholesale, retail, and business trade, exclusive of port industries.*

Policies and regulations encourage the location of businesses where the use can be most suitably accommodated, free of hazards, accessible via existing transportation corridors, and compatible with surrounding environs. Over-water structures are limited to commercial docking and boat fueling stations; bulkheading with landfilling within the shoreline area for commercial purposes is prohibited.

Commercial development is permitted, subject to General and Tabular Regulations,* in the Rural, Rural Residential, and Urban Areas. In Conservancy Areas, low intensity recreational developments are permitted. In all areas, commercial developments must be related to or dependent upon a shoreline location.

DREDGING: *Removal, displacement, and disposal of unconsolidated earth material such as silt, sand, gravel, or other submerged materials or debris from any water body and associated shorelines. Spoils disposal is deposition of the dredged materials on land or into water bodies.*

Policies and regulations recognize that dredging is required for certain shoreline-located uses such as marinas and ports. Because dredging and spoils disposal have a high potential for adverse effects upon shorelines and wetlands, such activity is allowed only for those shorelines and water uses consistent with the Master Program and the Shoreline Management Act. Dredging proposals should be assessed for design and operational provisions which would mitigate or avoid impacts to water quality, shore processes, and aesthetic values.

Dredging and spoil disposal are prohibited in Natural Areas, but allowed in the other Area Designations, subject to conditions and limitations of the General Regulations.*

FOREST MANAGEMENT PRACTICES: *Those methods and activities used for the protection, production, and harvesting of timber products.*

Policies and regulations recognize the limited areas of forest land and the importance of this industry to the local economy. It is also recognized that forest lands located along shorelines have a potentially high value for additional uses. Shoreline management is required in order to preserve and enhance multiple use opportunities. Forest practices have a potential for adverse effects upon watershed conditions, fish and wildlife habitat, and soils. Care should be taken to prevent or minimize these effects and to reforest altered areas. Establishment of buffer areas between forest production areas and shorelines is encouraged.

State regulations control commercial timber cutting within 200 feet of shorelines of statewide significance (RCW 90.58.150). Forestry operations are permitted, with conditions and exceptions,* in all Shoreline Area Designations. The State Forest Practices regulations are adopted by reference.

LANDFILL: *The creation, extension, or raising of land area by filling or depositing sand, soil, gravel, dredge spoils, or other materials onto a shoreline, wetland, or water body area.*

Policies and regulations recognize that landfill within Shoreline Areas is permitted in limited instances, but such action should avoid adverse impacts upon water quality and fish and wildlife. Use conflicts with other appropriate shoreline uses should be avoided and the objective of multiple use and public access adhered to. Landfill which would significantly alter existing runoff patterns should not be permitted.

Landfills are permitted in Rural and Urban Area Designations, and allowed as conditional use in Aquatic and Conservancy Areas. Except for approved beach restoration or enhancement programs, landfills are prohibited in Natural Areas.*

MARINAS AND LAUNCH RAMPS: *Marinas are fresh or salt water facilities that provide storage (wet and/or dry), launch facilities, supplies, and services for pleasure and/or fishing craft.*

Policies and regulations recognize that ideal sites for marinas and launch ramps are limited, and that such sites should be identified, evaluated, and reserved. Marinas should be located and designed to have minimal adverse effects upon shoreline processes, to provide maximum feasible protection of water quality, and to be compatible with existing and future shoreline-dependent uses. Regulations include control of waste disposal, drainage, oil product handling, parking, signs, utilities, and landscaping.

Marinas are permitted, with conditions and regulations,* in all except Natural and Conservancy Area Designations. Launching of small watercraft is permitted in all areas.

MINING: *The removal of naturally occurring minerals or other related materials from the earth.*

Policies and regulations recognize that mining has a high potential for short- and long-term irreversible impacts to shoreline uses. It is

recommended that mining not unnecessarily conflict with existing or possible future shoreline uses and, to minimize adverse effects, that the necessary and required steps for reclamation be followed. Regulations are provided which control screening, waste disposal, and water runoff; restrict overburden disposal; and define reclamation procedures.

Mining is permitted as a conditional use in all Area Designations except Natural, where it is prohibited, and Aquatic, where it is prohibited except for sand and gravel excavation.* A Flood Control Zone Permit and Hydraulics Approval must be obtained prior to mining in the floodplain.

OUTDOOR ADVERTISING: *All publicly displayed messages such as signs, billboards, placards, pennants, or posters, whose purpose is to provide official and commercial information, direction, and advertising.*

Policies and regulations recognize that the high scenic value of County shorelines could be decreased through unrestricted and uncoordinated sign development. Signs should be located, designed, and maintained in a manner visually compatible with local shoreline scenery as viewed from both land and water. On-premise signs, as opposed to off-premise, and multiple use signs are encouraged.

Outdoor advertising, subject to conditions and regulations,* is permitted in all Shoreline Area Designations except Natural, where only official signs are allowed. In Aquatic Areas, flush mounted wall signs are allowed for shoreline-dependent uses.

PIERS AND DOCKS: *Structures generally built from the shoreline extending out over the water to provide docking and moorage for commercial and/or recreational vessels and boats.*

Policies and regulations recognize that piers and docks are shore-dependent and essential for several economic and cultural activities of value to the region. Piers and docks should be designed to prevent or minimize adverse impact upon other shore uses, and keep navigable, and other waters and shorelines as free as possible from unnecessary obstructions or hazards. Impact upon water quality, shore processes, and aesthetics should be avoided through designs which avoid interference with shore processes and water flow.

Piers and docks should be suitable in size and design for their location. Their size should not exceed the capacity of the site, or placed so they would obstruct or interfere with the rights of others to use water surfaces. Piers and docks should be limited in sensitive areas. One private dock is to be permitted per shoreline lot.

Piers and docks are permitted, subject to conditions and regulations,* in all Area Designations except Natural, where only officially approved facilities which enhance public access are allowed.

PORTS AND INDUSTRY: *Terminals or transfer facilities between waterborne traffic and land transportation corridors; and facilities for processing, manufacturing, and storage of finished or semi-finished goods.*

Policies and regulations recognize that certain activities are dependent upon the shoreline, such as shipyards, ports, and piers, while other activities are shore-related. Shore-related uses are those uses which cannot operate successfully away from the shoreline or water surface under current physical or economic conditions. Areas supporting port and industrial development should continue to be used for such development. Port or industrial uses should not be located on sensitive shorelines such as natural accretion beaches, prime agricultural land, natural wetlands or estuaries; nor on shores inherently hazardous for such development, such as flood- and erosion-prone areas and steep or unstable slopes; nor should development endanger water quality or quantity.

Regulations are provided which control water quality, waste disposal, runoff control, and require buffer areas around industrial development. Port and industrial developments are prohibited in the officially mapped floodway of the Skagit River, its tributaries, and the Samish River.

Port and industrial development is permitted in Aquatic and Urban Area Designations, and in Rural and Conservancy Areas as a conditional use.*

RECREATION: *The re-creation and refreshment of body and mind through forms of play, sports, relaxation, amusement, or contemplation.*

Policies and regulations recommended that such developments provide for a variety of recreational opportunity while not depreciating those features (shore forms, land forms, plant and animal life) which make the area suitable and attractive for recreational or other appropriate shoreline uses. Areas suited for a specific recreational use should not be developed for other uses which could be located elsewhere. Active shoreline recreational uses requiring extensive access and support facilities should be located where such facilities are available or can be provided without significant damage to shore features. Regulations are provided which control the use of motor vehicles on tidelands, shorelands, beaches, streamways and natural wetlands, and limit development in floodways.

Recreation uses of varying levels of intensity are permitted in all Shoreline Area Designations.*

RESIDENTIAL DEVELOPMENT: *The subdivision of land for human occupancy, normally in the structural forms of single-family homes, trailers, mobile homes and parks, condominiums, multi-family units, and planned unit residential developments (PURD). Recreational subdivisions and camping developments or clubs are included in this definition.*

Policies and regulations recognize that shoreline residential developments are of a single-purpose, irreversible, and space consumptive nature. It is recommended that residential developments be set back from the immediate shoreline, and that certain heights and sideyard setbacks be observed. Compatible multiple use of residential areas is encouraged, as well as provisions for shorelines to be used as open space. Planned unit residential developments at suitable locations are preferred to extensive single-lot development. Where high density development is permitted, special consideration should be given to open space and buffers, cluster development, parking and circulation, utilities, and site preparation.

Residential development is permitted in varying degrees in all Shoreline Area Designations except Natural, subject to specific conditions.*

SCIENTIFIC AND EDUCATIONAL RESOURCES: *Shoreline areas, sites, and facilities of archeological, historic, cultural, educational, and scientific value to citizens of the county, region, and/or state.*

Policies and regulations recognize that such sites are of value to the region and are scarce resources easily subject to damage. Regulations are established which control development of known historic or archeological sites and protect sites of potential significance. If sites are discovered during development, it is required that finds be reported to the County Planning Department.

Scientific and educational activities are permitted in all Shoreline Area Designations, subject to specific conditions.*

SHORE DEFENSE WORKS: *Structures or modifications normally used on marine and lake shores for the purpose of retarding bank or shore erosion by current and wave action, retaining uplands or fill areas, protecting channels and harbors from wave action, and encouraging deposition of beach materials. These include bulkheads, breakwaters, jetties, groins, and protective berms.*

Policies and regulations recognize that defense works can cause substantial interference with shore processes which could generate additional erosion of other shorelines. They should, therefore, be permitted for individual lots only where wave erosion threatens buildings or uses of the upland property and will not cause damage to neighboring properties and natural shore features.

Shore defense works should not be located on shores where valuable geo-hydraulic or biological processes are sensitive to interference and critical to shoreline conservation. Multiple use and public shore access should be incorporated in development proposals whenever feasible, and natural character alternatives to rigid works are strongly preferred wherever possible.

Although the Shoreline Management Act exempts normal protective bulkheads from the shoreline permit requirement, these structures must meet the policies and regulations of the Master Program.

Shore defense works are permitted in all Shoreline Area Designation except Natural, provided applicable conditions and regulations are met.* In Natural Shoreline Areas, such works are permitted only when necessary to restore or enhance the natural character of the shoreline.



SHORELINE STABILIZATION AND FLOOD PROTECTION: *All structures and works on streams designed to retard bank erosion and protect against flooding.*

Policies and regulations recognize the need for such development in limited instances when it is evident that valuable property, public works, homes, or other structures are threatened. It is recommended that such flood control works be professionally designed and located to have minimal impact upon geo-hydraulic processes, water quality and quantity, and fish and wildlife. All works are to be designed and constructed to meet requirements and standards of the County Engineer, State Department of Fisheries or Game, Corps of Engineers where applicable, and Soil Conservation Service.

Shoreline stabilization and flood protection measures are permitted, subject to conditions,* in all except Natural Areas. Dams are permitted conditionally in all except Natural Areas.

TRANSPORTATION FACILITIES: *Those structures and developments that aid in land and water surface movement of people, goods, and services.*

Policies and regulations relating to land transportation uses recognize that such development is generally irreversible. Transportation development should be coordinated and consistent with applicable plans for the area, and should be compatible with other uses. Utilization of existing corridors is strongly encouraged. Development should avoid actual or potential damage to shore features. Transportation facility design and construction should minimally interfere with shore processes, and should incorporate measures to avoid or control the increased surface water runoff.

Transportation facilities are permitted, subject to conditions,* in all except Natural Areas. Airports, landing fields, ferry terminals, and float-plane-related development are permitted as a conditional use in Urban, Rural Residential, and Aquatic Areas.

UTILITIES: *Facilities and services that generate, transport, process, or store water, sewage, solid waste, electrical energy, communications, and petroleum products.*

Policies and regulations recognize the shore dependency of certain utility developments, and allow these uses on shorelines if they are located and designed to cause no adverse impacts to the shoreline. Those utilities not essentially shoreline-dependent should be located elsewhere. Utility development should be compatible with relative plans for the area and other existing or potential uses. When feasible, utility development should avoid sensitive wetlands and certain shoreline areas. The use of existing corridors is strongly encouraged.

Utilities development is permitted, subject to conditions and regulations,* in all except Natural Areas. Solid waste disposal sites are not permitted on shorelines.

ADMINISTRATION AND PROCEDURES

The administrator of the Shoreline Management Program is the Skagit County Planning Director. Any person desiring to undertake a

substantial development within the shorelines covered by the program, or seeking a statement of exemption or a variance from the regulations of the program, shall apply to the administrator. Variance and conditional use provisions are provided to overcome specific problems generated by the Act and to allow flexibility while meeting prescribed performance standards which ensure conformance with the general purpose and intent of the County Program.

The Shoreline Management Substantial Development Permit process follows these steps:

- Applicant obtains application from the administrator (County Planning Department).
- Applicant gets Public Notice Form and Instructions for Public Notice.
- After a minimum of thirty days from the last public notice publication, the County is to either grant or deny the permit after a public hearing.
- Copies of the action proposed are submitted to the State.
- In normal cases, construction may begin thirty days after the State receives notice. This time is for review and possible appeal of the action.

Skagit County Planning Office phone number is: 336-2188.

DEFINITIONS

Listed below are some of the definitions commonly used in the County Program.

DEVELOPMENT means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the Act at any stage of water level.

FLOODPLAIN means all lands along a river or stream which may be inundated by the base flood of such river or stream. The floodplain includes the streamway, floodway, and floodway fringe.

FLOODWAY means all active and inactive channels and lands along a river or stream which are required to carry and contain the moving currents of the base flood. The floodway corridor includes the streamway and portions of one or both banks, and corresponds generally to the meander belt in which natural stream meander progression occurs.

FLOODWAY FRINGE means that fringe of land in the floodplain outside the floodway which is subject to inundation by the base flood. Flooding in the fringe is limited to flood-storage storage of water currents moving at a negligible velocity of less than 0.5 miles per hour.

ORDINARY HIGH WATER MARK (OHWM) on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, or as it may naturally change thereafter. Provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water.

SHORE-DEPENDENT USE means any reasonable use that requires a shoreline or water surface location because of its intrinsic nature including, but not limited to, navigation, ports, marinas, docks, piers, floats, boat fueling stations, shipyards, seafood harvest, aquaculture, recreational boating and swimming, and research and observation of natural shoreline phenomena. Uses in this category are considered the most appropriate in terms of this program.

SHORE RELATED USE means any use shore-dependent for the following reasons:

- Cannot operate/occur successfully away from the shoreline or water surface under current physical or economic conditions;
- Is essential support to a shore-dependent primary use; or
- Provides people with opportunities to enjoy shorelines without causing significant or irreversible adverse impact upon other more appropriate uses and shore features.

WETLAND OR WETLAND AREA means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark; and all marshes, bogs, swamps and floodways, river deltas, and floodplains associated with the streams, lakes, and tidal waters which are subject to the provisions of the Act.

SENSITIVE AREA means any area which is naturally unsuitable or undesirable for intensive human use or structural development due to its higher development costs or its relatively higher value to region or community in its natural or present condition.



*See Shoreline Master Program — Regulations — for specific conditions.